

Hearing Date: August 14, 2012 at 10:00 a.m. (ET)
Objection Deadline Date: August 7, 2012 at 4:00 p.m. (ET)

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Attorney for Gerard Wiener

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re: :
: **Chapter 11**
Residential Capital, LLC, et al., :
: **Case No. 12-12020**
Debtors, :
: **Jointly Administered**
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**NOTICE OF MOTION OF GERARD WIENER FOR RELIEF FROM AUTOMATIC
STAY AS TO GMAC MORTGAGE, LLC**

PLEASE TAKE NOTICE that Movant Gerard Wiener for himself and as representative of the Estate of Roland Wiener seeks by motion, relief from the automatic stay as to debtor GMAC Mortgage, LLC pursuant to 11 U.S.C. § 362.

When: **August 14, 2012**, at 10:00 a.m. or as soon thereafter as counsel my be heard.

Where: Courtroom of Judge Martin Glenn, United States Bankruptcy Court, Southern District of New York, One Bowling Green, Room 501, New York, New York 10004.

Relief Sought: Movant Gerard Wiener for himself and as representative of the Estate of Roland Wiener seeks by motion, relief from the automatic stay as to

debtor GMAC Mortgage, LLC pursuant to 11 U.S.C. § 362 in order to complete discovery and proceed to trial to liquidate his claims, individually and for his father's estate, in the case captioned *Gerard Wiener et al. v. Bankers Trust, et al.*, Civ. No. 11-10770, currently pending in the United States District Court for the Eastern District of Michigan, Southern Division.

The motion is based on the memorandum of points and authorities filed herewith, the declaration of David J. Brown and exhibits thereto, the records on file in this action, and such other evidence and oral argument as will be permitted by the Court.

Dated: July 17, 2012
San Francisco, California

Respectfully Submitted

DAVID J. BROWN

/s/ David J. Brown
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